

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

KIM SHIELDS.,	:	Case No. 17-21251-TPA
Debtor,	:	Chapter 13
	:	
KIM SHIELDS.,	:	
Movant	:	
	:	
v.	:	Related to Doc. No. 154
RONDA J. WINNECOUR, ESQUIRE,	:	
Chapter 13 Standing Trustee,	:	
Respondent.	:	
	:	

**ORDER**

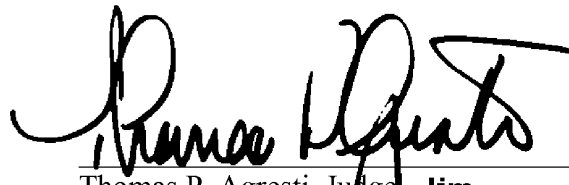
On February 18, 2021, the Debtor filed a *Motion to Extend Plan Payments Pursuant to CARES Act and 11 U.S.C. 1329(d)* at Doc. No. 154 (“Motion”), which in and of itself does not provide the necessary support for the relief being requested for an extension of the Plan term under the CARES Act despite the filing of a CNO. In order to finally implement this request the Court requires that a “Motion Seeking CARES Act Relief” be filed which specifically states relevant facts in support of the Motion and meeting the Debtor’s burden under the CARES Act.

**AND NOW**, this *19<sup>th</sup>* day of **February, 2021**, it is hereby **ORDERED, ADJUDGED and DECREED** that

(1) The *Motion to Extend Plan Payments* at Doc. No. 154 is **DENIED** for the reasons stated above and the hearing scheduled for **March 24, 2021 at 10:00 A.M.** is **CANCELLED**.

(2) **On or before March 5, 2021**, the Debtor shall file an *Amended Motion for CARES Act Extension of Plan Term* and provide:

- (a) The specific nature of the requested plan extension and its effect on the current plan term;
  - (b) Detailed narrative explanation of material facts in support of the requested relief meeting Debtor's burden that current circumstances, either directly or indirectly, were caused by the COVID-19 pandemic and did not exist prior to the current loss of income;
  - (c) An analysis of Chapter 13 plan payments throughout the case including copies of the Ch 13 Trustee disbursement schedule;
  - (d) Justify with a showing of the Debtor's affected, current financial situation that the number of requested months for the extension is supported as opposed to some lesser period of time;
  - (e) Evidentiary support for the number of actual months (from 1 month to 24 months) for which an extension is being sought; and,
  - (f) Any other relevant information in support of the request for CARES Act relief including appropriate affidavits.
- (3) The Debtor shall self-schedule the *Amended Motion*.



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Thomas P. Agresti, Judge **ljm**  
United States Bankruptcy Court

Case administrator to serve:

Debtors

Mark Peduto, Esq.

Ronda J. Winnecour, Esq., Chapter 13 Trustee

In re:  
Kim M. Shields  
Debtor

Case No. 17-21251-TPA  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Feb 19, 2021

User: bsil  
Form ID: pdf900

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 21, 2021:

Recip ID	Recipient Name and Address
db	+ Kim M. Shields, 1212 Harrow Hill Court, Coraopolis, PA 15108-9018

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 21, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 19, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Fay Servicing as servicer for Wilmington Trust National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2016-1 bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor Wilmington Trust National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2016-1 bnicholas@kmlawgroup.com
David Z. Valencik	on behalf of Debtor Kim M. Shields dvalencik@c-vlaw.com cylaw.ecf.dvalencik@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com:ssimmons@c-vlaw.com;mpeduto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com
Donald R. Calaiaro	on behalf of Debtor Kim M. Shields dcalaiaro@c-vlaw.com cylaw.ecf.dcalaiaro@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com:ssimmons@c-vlaw.com;mpeduto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com

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Jill Manuel-Coughlin

on behalf of Creditor WELLS FARGO BANK N.A. bankruptcy@powerskirm.com

Kaitlin Shire

on behalf of Creditor Wilmington Trust National Association, not in its individual capacity, but solely as trustee for MFRA Trust  
2016-1 kshire@hillwallack.com, skenny@HillWallack.com;lharkins@hillwallck.com;hwbknj@hillwallack.com

Karina Velter

on behalf of Creditor Wilmington Trust National Association, not in its individual capacity, but solely as trustee for MFRA Trust  
2016-1 amps@manleydeas.com

Mark B. Peduto

on behalf of Debtor Kim M. Shields mpeduto@c-vlaw.com  
jadam@c-vlaw.com;ssimmons@c-vlaw.com;kmosur@c-vlaw.com;apratt@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com

Michael J Shavel

on behalf of Creditor Wilmington Trust National Association, not in its individual capacity, but solely as trustee for MFRA Trust  
2016-1 mshavel@hillwallack.com, skenny@hillwallack.com;lharkins@hillwallack.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

TOTAL: 11